

Existing law (R.S. 42:161) requires all public officers to take and subscribe to the oath or affirmation required by the existing constitution (Art. X, §30) before acting in their respective offices. Existing law (R.S. 42:162) provides that the oath may be administered by the governor, any judge, justice of the peace, notary public, or clerk of court and shall be subscribed by the party taking it and certified in his commission by the person administering it. Requires the oath to be deposited in the office of the secretary of state and recorded by him (and for parish officers, also in parish clerk of court's office) within one month after being administered.

New law specifies that for members of the legislature who take the oath or affirmation at the organizational session of the legislature as provided in the existing constitution (Art. III, §2(D)), the clerical officer of each house of the legislature shall deposit in the office of the secretary of state a certified journal entry of the proceedings of that house which reflects the taking of the oath of office. Requires the secretary of state to record each certified journal entry in the same manner as other oaths or affirmations received pursuant to existing law. Specifies that the certified journal entry fulfills all of the requirements of existing law to take and subscribe to the oath or affirmation. New law requires the certified journal entry to be deposited for recordation no later than one month following the organizational session of the legislature.

Provides that the provisions of the Act are remedial, curative, and procedural and are to be applied retroactively as well as prospectively.

Effective upon signature of governor (April 25, 2012).

(Amends R.S. 42:162)